

at least one bore in each of two said upper chute section vertical frame members;

a threaded bolt disposed through each of said bores and through each of said sleeves;

a washer attached to each said threaded bolt, said washer being attached to each said threaded bolt forward of the rear frame in the dock loading livestock trailer; and

a nut attached to each said threaded bolt, so that tightening of said nut on said threaded bolt secures said upper chute section to the rear frame of the dock loading livestock trailer.

**A complete set of CLAIMS AFTER AMENDMENT is enclosed.**

### **REMARKS**

***Claims pending in the application.*** Claims 1-17, which are now pending in the application, are summarized as follows:

Claim 1	Original independent (allowed).
Claim 2	Original (allowed); depends from claim 1.
Claim 3	Original (allowed); depends from claim 1.
Claim 4	Original (allowed); depends from claim 3.
Claim 5	Original (allowed); depends from claim 1.
Claim 6	Original (allowed); depends from claim 1.
Claim 7	Original (allowed); depends from claim 1.
Claim 8	Original (allowed); depends from claim 1.
Claim 9	Original (allowed); depends from claim 1.
Claim 10	Original independent (rejected; traversed).
Claim 11	Original (objected to; traversed); depends from claim 10.
Claim 12	Original (rejected; traversed); depends from claim 10.
Claim 13	Original (objected to; traversed); depends from claim 10.
Claim 14	New independent.

Claim 15      New; depends from claim 14.  
Claim 16      New; depends from claim 14.  
Claim 17      New; depends from claim 14.

**Rejection of claims 10 and 12 under §102.** On page 2 of the Office Action, the Examiner recites §102 of the patent statutes and states as follows:

Claims 10 and 12 are rejected under 35 U.S.C. 102(b) as being anticipated by Carter (U.S. Patent 2,228,946).

Carter shows a livestock chute, which attaches to the rear of a trailer 8 having an upper chute section 32, and a lower chute section 14.

Re claim 12, the chute attaches along a plurality of hinges 33.

Applicant respectfully traverses. In the '946 patent, a chute consists of a floor 13, a rectangular metal frame 14, and floor planks 15. See page 1, column 2, ll. 20-22. A leaf spring 35 having a head 36 projects centrally from the front end of the chute floor 13. See page 2, column 3, ll. 22-25. As the chute is withdrawn from the retracted position and its rear end is lowered toward the inclined position, the head 36 on the leaf spring 35 engages the truck floor to resiliently oppose the lowering of the rear end of the chute. Thus a projection extending from the chute engages the truck floor.

Still referring to the '946 patent, parallel bars 30 are slidably mounted on side panels 17, 19 of the chute. The parallel bars 30 extend forward from the side panels 17, 19 to fill in the triangular openings at the upper ends of the chute sides 17, 19 when the chute sides 17, 19 are in the extended, inclined position shown in Figure 5. See page 2, col. 1, ll. 1-5. A **cross member 32** connects the ends of the bars 30. See page 2, column 1, ll. 11-12.

Thus the upper chute section cited by the examiner is merely a cross member. Applicant respectfully requests withdrawal of the rejection of claim 10 under 35 U.S.C. § 102. If claim 10 is allowable, then dependent claim 12 is also allowable. Therefore applicant requests allowance of claims 10 and 12.

**Objection to claims 11 and 13.** On Page 2 of the Office Action, the examiner states as follows:

Claims 11 and 13 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Applicant respectfully traverses. Claim 10 is allowable for the reasons stated above, and claims 11 and 13 are allowable since they depend from a claim which is believed to be allowable. Therefore applicant requests that the examiner withdraw his objections to claims 11 and 13 and allow the objected-to claims.

**New independent claim 14.** New independent claim 14 is claim 10 with additional limitations. The upper chute section has an adjustable upper chute section ramp and the lower chute section is supported by the upper chute section. The upper chute section ramp cooperates with the lower chute section ramp, in the ground loading configuration, to create a pathway for loading and unloading livestock directly to ground. Nothing in the '946 patent discloses, teaches, or suggests the structure of the device claimed in new independent claim 14.

**New dependent claims 15-17.** New dependent claims 15-17 parallel original claims 11-13, respectively. New independent claim 14 is allowable, so new dependent claims 15-17 are also allowable.

**Complete Response.** By this RESPONSE AND AMENDMENT, applicant has responded fully to the Office Action mailed April 27, 2004. Applicant respectfully requests an early allowance of all claims.

Respectfully submitted,

Date: March 15, 2006



**James T. Robinson, Reg. No. 33,548**  
EXCLUSIVITY-LAW, INC., Customer # 54102  
222 East Main Street  
Norman, OK 73069-1303  
Telephone 405.292.1911  
Facsimile 405.321.1104

ATTORNEY FOR APPLICANT

## **CLAIMS AFTER AMENDMENT**

I claim:

1 (Original). A livestock loading chute for attachment to a dock loading livestock trailer, the dock loading livestock trailer being characterized as having a trailer floor, a rear frame and a roll-up door contained within the rear frame of the dock loading livestock trailer, said livestock loading chute comprising:

an upper chute section attached to the rear frame of the livestock trailer, said upper chute section having an upper section adjustable ramp adjustable between a dock loading position wherein said adjustable ramp is essentially horizontal and a ground loading position wherein said adjustable ramp extends downwardly away from the rear of the dock loading livestock trailer; and

a lower chute section attached to said upper chute section, said lower chute section having a lower chute section ramp extending downwardly away from said upper chute section, so that said upper chute section adjustable ramp in said ground loading position and said lower chute section ramp are generally aligned to provide a livestock loading path beginning about 12 inches above the ground and extending upwardly to within about six inches of the level of the floor of the dock loading livestock trailer.

2 (Original). The device of claim 1 wherein said lower chute section is attached to said upper chute section by a plurality of hinges so that said lower chute section swings on said hinges between a ground loading position wherein said upper chute section adjustable ramp and said lower chute section ramp are generally aligned and a transport position

wherein said lower chute section is secured to a portion of the rear frame of the livestock trailer so that, when said lower chute section is secured in said transport position and said upper chute section adjustable ramp is adjusted to said dock loading position, said upper chute section provides a pathway for loading livestock from a dock.

3 (Original). The device of claim 1, wherein said upper chute section further comprises upper chute section sides to contain livestock within said upper chute section.

4 (Original). The device of claim 3, wherein said upper chute section adjustable ramp has an upper portion and a lower portion and wherein at least one of said metal sides has a slit therein, said device further comprising at least one chain attached to said lower portion of said upper chute adjustable ramp, said chain terminating in a chain hook, so that said chain hook is received by said slit when said upper chute section adjustable ramp to support said lower end portion of said upper chute adjustable ramp so that said upper chute section is in a generally horizontal position for loading livestock from a dock.

5 (Original). The device of claim 1, wherein said upper chute section adjustable ramp further comprises traction cleats attached to said adjustable ramp.

6 (Original). The device of claim 1 wherein said lower chute section ramp further comprises traction cleats attached to said lower chute section ramp.

7 (Original). The device of claim 1, wherein said upper chute section adjustable ramp further comprises a rubber bumper.

8 (Original). The device of claim 1, wherein said lower chute section ramp further comprises a rubber bumper.

9 (Original). The device of claim 1 wherein said upper chute section is welded to the rear frame of the livestock trailer.

10 (Original). A livestock loading chute for attachment to a dock loading livestock trailer, the dock loading livestock trailer being characterized as having a rear frame and a roll-up door contained within the rear frame, said livestock loading chute comprising:

an upper chute section;

a lower chute section; and

attachment means for attaching said upper chute section to the rear frame of the dock loading livestock trailer.

11 (Original). The device of claim 10 wherein said attachment means for attaching said upper chute section to the rear frame of the dock loading livestock trailer further comprises:

a plurality of female receivers attached to the rear frame of the dock loading livestock trailer, each said female receiver having a female receiver transverse bore therethrough;

a plurality of mating male inserts attached to the upper chute section, each said mating male insert having a male insert transverse bore therethrough, so that each of the mating male inserts is received into one of said female receivers and said receiver transverse bore aligns with said male insert transverse bore; and

a plurality of latching pins, whereby one of said latching pins is disposed within aligned said receiver transverse bore and said male insert transverse bore, so each said male insert is secured within each said female receiver.

12 (Original). The device of claim 10 wherein said attachment means for attaching said upper chute section to the rear frame of the dock loading livestock trailer further comprises a plurality of hinge assemblies connecting said upper chute section to the rear frame of the dock loading livestock trailer.

13 (Original). The device of claim 10 wherein said attachment means for attaching said upper chute section to the rear frame of the dock loading livestock trailer, said upper chute section being further characterized as having an upper chute section frame including at least four upper chute section vertical frame members and at least four upper chute section horizontal frame members, said attachment means further comprising:

- at least two sleeves attached to the rear frame of the dock loading livestock trailer;
- at least one bore in each of two said upper chute section vertical frame members;
- a threaded bolt disposed through each of said bores and through each of said sleeves;

- a washer attached to each said threaded bolt, said washer being attached to each said threaded bolt forward of the rear frame in the dock loading livestock trailer; and

- a nut attached to each said threaded bolt, so that tightening of said nut on said threaded bolt secures said upper chute section to the rear frame of the dock loading livestock trailer.



14. (New). A livestock loading chute for attachment to a dock loading livestock trailer, the dock loading livestock trailer being characterized as having a rear frame and a roll-up door contained within the rear frame, said livestock loading chute comprising:

an upper chute section having an upper chute section ramp therein, the upper chute section ramp being adjustable between a horizontal position for loading livestock from a dock and an inclined position whereby for loading livestock from the ground;

a foldaway lower chute section attached to the upper chute section and supported by the upper chute section, the foldaway lower chute section having a lower section ramp therein, the foldaway lower section deployable between a stored position against the rear of the livestock loading trailer and a ground loading position wherein the upper chute section ramp and the lower chute section ramp cooperate to form a pathway for loading livestock from the ground; and

attachment means for attaching the upper chute section to the rear frame of the dock loading livestock trailer.

15 (New). The device of claim 14 wherein said attachment means for attaching said upper chute section to the rear frame of the dock loading livestock trailer further comprises:

a plurality of female receivers attached to the rear frame of the dock loading livestock trailer, each said female receiver having a female receiver transverse bore therethrough;

a plurality of mating male inserts attached to the upper chute section, each said mating male insert having a male insert transverse bore therethrough, so that each of the

mating male inserts is received into one of said female receivers and said receiver transverse bore aligns with said male insert transverse bore; and

a plurality of latching pins, whereby one of said latching pins is disposed within aligned said receiver transverse bore and said male insert transverse bore, so each said male insert is secured within each said female receiver.

16 (New). The device of claim 14 wherein said attachment means for attaching said upper chute section to the rear frame of the dock loading livestock trailer further comprises a plurality of hinge assemblies connecting said upper chute section to the rear frame of the dock loading livestock trailer.

17 (New). The device of claim 14 wherein said attachment means for attaching said upper chute section to the rear frame of the dock loading livestock trailer, said upper chute section being further characterized as having an upper chute section frame including at least four upper chute section vertical frame members and at least four upper chute section horizontal frame members, said attachment means further comprising:

at least two sleeves attached to the rear frame of the dock loading livestock trailer;  
at least one bore in each of two said upper chute section vertical frame members;  
a threaded bolt disposed through each of said bores and through each of said sleeves;

a washer attached to each said threaded bolt, said washer being attached to each said threaded bolt forward of the rear frame in the dock loading livestock trailer; and

a nut attached to each said threaded bolt, so that tightening of said nut on said threaded bolt secures said upper chute section to the rear frame of the dock loading livestock trailer.